

Advertising in The Times will keep you busy waiting on customers

WEATHER.
Partly cloudy and unsettled
weather today and Sunday;
warmer Sunday.

VOL. IV., NO. 177.

THE LAKE COUNTY TIMES.

EVENING
EDITION

ONE CENT PER COPY.

AGAINST SALOONS REMONSTRANCE IS HELD GOOD BY H.B. TUTHILL

Tribunal Says That Statutes Were
in Force Before any People Came
to the City of Gary

LENGTHY
IS OPINION

Remonstrators Win Famous
Legal Battle by Majority
of Seven Signatures.

(Special to THE TIMES.)
Michigan City, Ind., Jan. 15.—In
the decision rendered today by Judge
H. B. Tuthill, of the Porter-LaPorte
superior court, the ban placed on the
liquor business in Gary twenty

PLAINTIFF IN THE FAMOUS
REMONSTRANCE CASE



THEODORE BINKEN.

law upon the subject could be thor-
oughly gone over.

The Court's Decision.

The court's decision is a voluminous
affair, covering 43 closely typewritten
pages and embracing 129,000 words,
touching upon the growth and develop-
ment of the territory involved in the
remonstrance from 1905, up until which
time the present site of Gary had been
used for many years as a rabbit pasture,
to use the words of the decision, until
the present time. The decision re-
sumes: "The territory was covered
with sand dunes, swales, hills and cuts
and for any purpose then known to the
denizens of that district worthless
except for barter and exchange. It is
not a far cry that the population of
Calumet township had not changed one
per cent in twenty years. During the
years 1905 large areas were purchased
by a syndicate, and a city since known
as Gary, as if by magic, sprung into
being."

JUDGE TUTHILL'S OPINION

PORTER SUPERIOR COURT.
IN THE MATTER OF GEORGE E.
DUEL AND TWO HUNDRED TWEN-
TY-EIGHT OTHERS AGAINST THE
THEODORE BINKEN AND JAMES P.
SCANLAN, two cases consolidated for
the purposes of trial and judgment.
TUTHILL, J. It is shown by the
evidence that until some time in 1905
the site of Gary had been used for many
years as a rabbit pasture. The terri-
tory was covered with sand dunes,
swales, hills and cuts, and for any pur-
pose then known to the denizens of
that district worthless except for bar-
ter and exchange. It is not a far cry
that the population of Calumet town-
ship had not changed one per cent in
twenty years. During the year 1905
large areas were purchased by a syn-
dicate and a city since known as Gary,
as if by magic, sprung into being.

The vote figures.
The vote as found by the evidence at
the November election in 1905 was 336,
which under the rules of computa-
tion would give a population in Calu-
met township of 1,500 plus. At the
time the remonstrance was filed on
the last day of May, 1905, it is stated
in argument, there were several thousand
people in the city of Gary, and it is
further stated in argument that at the
present time Calumet township con-
tains on a conservative estimate a
population of twenty thousand people.
Perhaps no such marked change has
ever arisen in the United States, and
it may be, no such condition will ever
arise again. It is earnestly contended
in argument that a rigid interpreta-
tion of the statute controlling the sale
of intoxicating liquors in this state will
work a hardship on many thousands
people now residing in Calumet town-
ship. The statute under which the
remonstrance was filed, and which
statute will be suffered to control this
adjudication. However, that statute
was in force before these people came
to Gary. If the declaration that "ev-
eryone is presumed to know the law"
amounts to anything, those who now
(Continued on Page Four.)

BANQUET PROGRAM COMPLETE

(Special to THE TIMES.)
Indianapolis, Ind., Jan. 15.—Gov-
ernor T. R. Marshall today formally
accepted the invitation for the St.
Andrews society banquet at Gary
Jan. 24.

The program of speakers for the ban-
quet of the St. Andrews society, which
is to be held in Gary on Monday, Jan.
24, when the society will be honored by
the presence of Governor Thomas R.
Marshall, is now complete.

The banquet is to be one of the
greatest social events that have ever
been held in the steel city. Covered
will be held for 300 guests and it is
expected that the banquet will cost
over \$1,000.

The banquet is to be held at the Gary
hotel, and an elaborate program has
been arranged. The following is the
program:

"The Land We Left"—Dr. J. A. Gra-
ham of Hammond.
"The Immortal Bard"—Arthur Carn-
duff.
Subject Not Chosen—Thomas R. Mar-
shall.

"Trades and Commercial Interests"—
E. J. Buffington.
"Our Guests"—Rev. P. E. Walter.
"The City of Gary"—Reply by Mayor
T. E. Knott.

"The St. Andrews Society"—Pro-
posed by Captain H. S. Norton. Reply
by J. Caldwell Smith.
"The Ladies"—Proposed by Superin-
tendent C. L. Kirk. Reply by L. E. Boyd.
"Toast to the Toastmaster"—Pro-
posed by W. J. Fulton. Reply by W.

NAG TRIES TO CARRY OUT TRIP

Mr. Kammerer, a saloonkeeper, who
conducts a saloon on the corner of
Hohman and State streets, rented a
horse and cutter this morning in which
he expected to make a trip to Lansing.
In turning the corner at Hohman and
State streets the runner caught, throw-
ing the occupant out of the cutter. This
frightened the horse, which started on
a fast pace down Hohman street, turn-
ing at the corner of Sibley street. F.
Eisenhuth, a driver for Bleker Bros.,
happened to be driving up Sibley street,
and noticed the approaching horse. He
at once jumped from his wagon and
running out grabbed the horse by the
bridle.

The horse and cutter was brought
back to Whitaker's barn, while Mr.
Kammerer returned to the saloon, de-
clining to abandon the trip.

Just before starting on the trip a
few remarks were passed around in the
saloon by some men who were in the
cutter, that he wouldn't get to Lansing
today with the nag. But the animal
proved to be faster than was expected
at the gait he went down Hohman
street.

TRAIN SERVICE IS BAD IN HAMMOND

Cold Weather Makes Opera-
tion of Trains Very
Difficult.

SOME MOVEMENT OF COAL

And What Do You Know About the
Erie Milk Train Being
on Time.

The trouble with snow and ice is
again delaying the trains on most of
the railroads running through Ham-
mond. Yesterday nearly every train
running through the city was late, and
today, while the trains are running
better, they are from fifteen to an hour
late.

The trouble is that the slightly colder
weather has made it difficult to operate
switches and derails and has caused
a lot of delay. It is reported in Chi-
cago that the failure of the milk trains
to get into Chicago has resulted in a
shortage in the milk supply.

The Erie, however, reports that its
milk train has been on time, and that
there is no difficulty so far as that
road is concerned. It is also said
that Chicago is short in its supply of
butter and eggs, due to the delay in
the trains and the failure of ship-
ments to arrive.

The railroads report that the move-
ments of coal are preventing an abso-
lute shortage in Chicago and this lo-
cality, but that the supply is low ev-
erywhere.

There does not seem to be any im-
mediate relief in store for the railroads
so far as the weather is concerned, and
unless the weather becomes so warm
that all of the snow is melted there
will be more or less difficulty until
spring.

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ERIE RAILROAD TAKES OFF TWO OF BEST TRAINS

South-Bound. Due in Hammond.
No. 22 8:10 a. m.
No. 4 11:50 a. m.
No. 6 5:43 p. m.
No. 8 10:19 p. m.

North-Bound. Due in Hammond.
No. 7 7:08 a. m.
No. 25 8:30 a. m.
No. 23 10:00 a. m.
No. 3 4:45 p. m.

Train No. 12, south-bound, due in
Hammond at 11:45 p. m.; taken off al-
together.

Train No. 14, south-bound, due in
Hammond at 4:50 p. m.; changed to 5:53
p. m.

Train No. 14 will be Wells-Fargo
express train exclusively and will not
carry passengers in the future.

Train No. 9, north-bound, due in
Hammond at 7:50; carries Wells-Fargo
express exclusively and will not carry
passengers.

Train No. 13, north-bound, due in

Hammond at 10:02 p. m., has been
changed to 10:42 p. m.; will carry
Wells-Fargo express exclusively and
will not carry passengers.

City Is the Loser.
Hammond accordingly loses prac-
tically four passenger trains—Nos. 12, 13,
14 and 9—passenger service on the lat-
ter having been discontinued since
Dec. 8th.

The new schedule will go into effect
next Monday, Jan. 16th. It will elimi-
nate one theater train for Hammond
patrons to Chicago.

The change in the schedule on the
Erie is much regretted by Hammond
people. It was hoped that while the
company would take off a particular
train that it would provide another
one. Crown Point people have been
clamoring for a long time to get a
later afternoon train to Hammond, but
there is no relief in sight for them.

The time changes that have been
made in the trains that remain are very
slight, there being a difference of only
a few minutes in Nos. 6 and 7.

FLAT ROOFS
ARE WATER
SOAKED

The recent warm spell has developed
the fact that there is hardly a flat roof
in the city that does not leak as a re-
sult of the large amount of melting
snow on them.

The roof of the federal building has
been leaking badly and the water re-
cently came through into the tempo-
rary office of the clerk of the Lake su-
perior court.

In a number of cases it has been

ATTRACTION
GOOD ONE
FOR CITY

Tomorrow night one of the best at-
tractions of the season, "The Goddess
of Liberty," will appear at the Towle
Opera House for an engagement. This
attraction is the original company and
comes direct from Chicago, where it
had a run of 250 performances at the
Princess theater.

The booking of this show is another
evidence of the fact that Hammond is
now getting the best attractions in the

SALE OF COMPANY SURPRISES

Purchase of Half Century
Old Concern of Great In-
terest to Real Estate Deal-
ers All Over the Calumet
Region and Lake County.

Local real estate men without excep-
tion were surprised to see the exclusive
story in THE TIMES last evening of the
purchase of the abstracting business of
Allman Bros. & Dinwiddie of Crown
Point by the Chicago Title and Trust
company. It is a matter of great inter-
est to every owner of property in the
region.

One of them, in commenting on the
sale, said: "I had an intimation that
a deal was on, but I did not know that
it had been consummated until I saw
it in THE TIMES last evening."

When asked what he thought would
be the effect of the change, he said: "I
anticipate that the charge for an ab-
stract will be increased \$10. The Chi-
cago prices of this company are \$10
higher than ours, and I expect that the
price will be raised here."

"This will of course affect every man
or woman who buys property in the
future, and a burden of \$10 extra will
be placed on the prospective purchaser
of property."

Has a Monopoly.
The Chicago Title and Trust com-
pany has practically a monopoly of the
(Continued on page five.)

RIOTERS DISMISSED IN MUNICIPAL COURT

Standard Steel Car Workers
Arrested on Monday
Night go Free.

THE EVIDENCE IS LACKING

It Was Just a Foreigner's Suit to Re-
cover Possession of Stolen
Rooster.

For lack of evidence, the four for-
eigners at the Standard Steel Car set-
tlement who were arrested last Mon-
day night and tried today in Judge
Barnett's court on the charge of riot-
ing were discharged. The defendants
were Alanko Kokosh, Petro Tsoudis,
Janisko Tshardish and Theodore
Tsoudis, Greeks, who reside in company
house No. 126. The complaining wit-
nesses in the case were Mike Solan
and his boarders, Tony Garko, Joe Ger-
man and Harry Grotinski, denizens of
company house No. 157. The defend-
ants might have been guilty of rioting
under the broad sense of rioting for
that term includes a multitude of sins,
but strictly the evidence was to the ef-
fect that the Slavs and the Greeks had
a merry time cracking each others'
heads with beer bottles and destroy-
ing property with the use of a hatchet,
beer bottles and other things which
formed good missiles. Petro Tsoudis,
one of the defendants, was caught red-
handed with a rooster under his arm,
which he had taken from the chicken
coop of Mike Solan. To get into the
coop he had to break a strong lock, and
there is a question whether he would
have escaped the charge of burglary. But
a conviction on that charge would
have meant a penitentiary sentence,
and what judge would want to send a
foreigner to the state's prison just be-
cause he stole his neighbor's chancier for
revenge.

Charles Greenwald prosecuted the
case, while Attorney D. E. Boone ap-
peared for the defendants.

G. A. R. INSTALL TONIGHT

The W. H. Calkins G. A. R. post in-
stalls its officers for the ensuing year
this evening. The meeting will be held
in the hall of the First National bank
building.

The following officers will be elected:
Commander—George Post.
Senior Vice Commander—Rev. H.
Elliott.

Junior vice commander—J.
Wood.

Chaplain—Rev. George Strete.
Adjutant—G. C. Jaqua.

Quartermaster—J. M. Krause.
Officer of the day—J. Thorny.

Officer of the guard—Patriot.

SWITCHMAN LOSES
HAND IN ACCIDENT

S. J. McDowell Has a Nar-
row Escape From
Being Killed.

Samuel J. McDowell, a switchman,
employed in the Erie yards, last Thurs-
day lost his right hand when two cars
came together and his hand was caught
between them.

Those who know about the accident
say that the injury was not caused
by his hand being caught between the
bumpers, as would be naturally sup-
posed, but that in some manner the
bodies of the cars themselves came to-
gether and the hand was pinched off
just above the wrist.

It is said that McDowell narrowly
escaped having his body caught be-
tween the cars, but succeeded in escap-
ing death through the loss of a hand.

As soon as the accident happened
Mr. McDowell was taken to the hos-
pital. Today he is reported to be very
much improved and is able to see his
friends.

The railroad has begun an investiga-
tion of the cause of the accident and
a complete report will be made to
headquarters. McDowell is married and
resides in 135 Clinton street.

AIR MARTIAL TROUBLES

Bessie L. Honn Eighth Since
New Year to Ask
Divorce.

The eighth divorce case since the be-
ginning of the new year was filed in the
Lake superior court this morning. Bes-
sie L. Honn has brought an action
against Charles A. Honn, in which she
alleges that he is guilty of cruel and
inhuman treatment, in that he attempt-
ed and did strike her while he was in-
toxicated. She alleges that he fre-
quently became intoxicated and that he
finally deserted her. They were married
July 17, 1907, and were separated
15, 1907, after having lived together
for five months. Mrs. Honn asks for
an absolute divorce and the restora-
tion of her maiden name, which was
Bessie L. Anderson.

ADVERTISE AND ADVERTISE
AGAIN IN THE TIMES.

The reduction in the cost of electri-
city from 13 cents to 10 cents per
kilowatt hour, which was announced
by President C. H. Geist of the North-
ern Indiana Gas & Electric company
on the 1st of last December bills of the
company.

This step was taken voluntarily by
the president of the company before the
independent company came into the
field and offered to compete with the
existing company.

Although no representative of the
Northern Indiana Gas company was in-
vited to be present at the recent meet-
ing of the Hammond Business Men's
association, when the local capitalists
and the mayor explained the lighting
situation, it is said that there are de-
cidedly two sides to the question. For
instance, it is declared by those who
are in a position to know that power
is furnished cheaper to local manu-
factures than it is by the sanitary
district of Chicago, and that is 15 to 20
per cent cheaper than the Chicago Ed-
ison company sells it.

LABOR FRICTION
AT LOCAL PLANT

Easterners Try to Stir Up
Little Success.

A number of riveters and heater boys
at the Standard Steel Car company
have gone out on a strike. The trouble
is said to have been caused by the
agitors who have come to Hammond
from McKees Rock, Pa., where the com-
pany has been having trouble with the
strikers.

These men came here for the sole
purpose of starting trouble, and they
have succeeded to a certain extent. The
strike is not, however, thought to be a
serious one, and a settlement is looked
for most any time.

This morning the Hammond police
took hold of the situation and ordered
all of the saloons in the Standard dis-
trict closed. As many of these agitators
make their headquarters in the saloons,
it is believed that this will have the
effect of preventing further agitation.

A. P. GOLDEN
FUNERAL IS
HELD TODAY

Alvin P. Golden of 316 Michigan ave-
nue, who was killed last Wednesday
afternoon at Indiana Harbor in a
freight wreck on the Indiana Harbor
Belt, on which he was switching, was
buried this afternoon. Services were
held at the residence by the Rev. C. J.
Sharp of the Christian church. Inter-
ment took place at Oak Hill cemetery.

The pall bearers were all friends of
the deceased. They were Messrs.
Charles Anderson, M. P. Moore, S. King,
L. E. Klutter, Andrew Pluto and Fred
Elkeman.

IF YOU ARE A POOR LETTER
WRITER, SEND THE TIMES TO YOUR
FRIENDS WHO LIVE OUT OF TOWN.